

Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON D.C. 20554

In the Matter of:)	November 20, 1996
)	
Advanced Television Systems)	
and their Impact Upon the)	MM DOCKET No. 87-268
Existing Television)	
Broadcast Service)	

TO: The Commission

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**Comments of
Abundant Life Broadcasting - K27EU**

I, Douglas E. Batchelor, President of Abundant Life Broadcasting, hereby submit these Comments in response to the commission's Sixth Further Notice of Proposed Rule Making ("Sixth NPRM") in the captioned proceeding, in which the Commission proposes to allot a second 6 MHz channel to each full power television station for digital television ("DTV") purposes, in a manner estimated to result in the destruction of up to 45% of all existing low power television ("LPTV") stations.

Such a proposal would be devastating to K27EU and the viewers in Roseville and Sacramento, California.

K27EU is headquarters in Roseville, California and broadcasts programming based on the 27 Fundamental Beliefs of Seventh-day Adventists. The Seventh-day Adventist Church has 8 million members worldwide. The membership of the North American Division exceeds 800,000 people served by more than 4,600 churches.

This LPTV station brings much more than religious programming to its many viewers. Its programming includes many health-related and educational programs, transmits multilingual programming and serves minorities and communities not otherwise served by any other full power or LPTV station. The loss of this station would be devastating to K27EU and its viewers. Public interest would be greatly disserved by depriving those viewers of K27EU programming, on which they have come to rely for issues of faith, health, education and entertainment.

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Both Congress and the Commission have extolled the benefits of LPTV stations, yet the Commission's current proposal relegates its recognition of these benefits to mere lip service. There is nothing in the Communications Act that *requires* the Commission to allot second 6 MHz channels to all full power television stations and to give these channels away for free, even at the expense of numerous LPTV stations that will be lost in the shuffle. LPTV stations not only fail to benefit from this giveaway, but must suffer tremendous net loss of service as envisioned by the Commission's proposed allotment scheme.

As recently as 1994, the Commission recognized that:

The LPTV service is more than meeting its expectations. Today 1400 LPTV stations serve diverse audiences in more than 750 communities and in all 50 states. These communities range in Population from the hundreds to the millions. The hallmarks of the LPTV service are TV "localism" and specialized "niche" programming. . . The LPTV service also has contributed to increased diversity in broadcast station ownership. LPTV station licensees include schools, colleges, churches, community groups, newspaper publishers and radio and TV broadcasters.

First Report and Order in MM Docket No. 93-114, 9 F.C.C. Rcd. 2555, (1994).

This proposal is perhaps the greatest example to date of the Commission allowing the rich to get richer while the poor become poorer. Perhaps it is too cynical to suggest that the Commission's allotment scheme confirms that "money talks." Diversity of ownership and viewpoint would be lost. Also, minorities, elderly people, people who are economically disadvantaged, middle class citizens, residents of rural areas and residents of inner cities would find it financially burdensome to discard their existing equipment and be forced to invest in new DTV receivers. Mandatory conversion to DTV would have an unreasonably adverse impact not only on the broadcasters, but the public and the economy as well.

This action is an unwarranted governmental intrusion, which would restrict the rights of U.S. citizens to freedom of choice, even with a 15 year transition period. Never before has a broadcasting service been targeted for extinction as this has! **Just as FM radio developed along side AM radio, DTV should be allowed to develop alongside the existing NTSC service.** The Commission should establish similar standards for DTV and allow market forces to operate.

Abundant Life Broadcasting, support all measures suggested by the Commission to preserve existing LPTV service including (1) setting aside channels specifically for use by displaced LPTV stations (Sixth NPRM p. 70); (2) taking terrain and other engineering factors into account and finding replacement channels (id. P. 71); (3) giving preference to LPTV over new broadcast applicants in seeking primary use

of available DTV channels (id. P. 72); and (4) requiring full power licenses to permit multiplexed use of their second channels by LPTV stations that would otherwise be displaced by the Commission's allotment scheme. (Id.) In those areas where LPTV service would be lost completely by awarding a second channel to all full power licensees (i.e., because there would be no alternate channels available), the Commission should consider awarding second channels to fewer than all full power licensees. After all, full power licensees, like their LPTV brethren, are free to begin digital broadcasts on their primary channels at any time. In markets where there are more than 5 or 6 full power stations, we question whether the public interest requires all such stations to have dual allotments, if the end result is a net loss of service to the public.

In summary, we urge the Commission to put its money where its mouth is. In the instant *Sixth NPRM*, the Commission confirms yet again that it "continue(s) to recognize the benefits that low power stations provide to the public. LPTV stations have increased the diversity of television programming and station ownership, and served many rural and urban ethnic communities." (P. 67). Whether the Commission changes its allotment scheme, sets aside channels specifically for LPTV or gives away second channels to fewer than all full power licensees, the Commission should not go forward with a plan that would result in a net loss of broadcast service to the public. **Such a plan as it currently stands, clearly disserves the public interest, defeats the recognized benefits of the LPTV service and if implemented will have disastrous consequences for public consumers, broadcasters, and the nation's economy.**

If the Commission is to truly "recognize" LPTV benefits as stated, then it cannot permit an allotment scheme to go forward that would result in the loss of 35-45% of all existing LPTV operations, as its current allotment proposal would effect. **Thank you for not adopting this proposal!**

Respectfully submitted

ABUNDANT LIFE BROADCASTING



By: Douglas E. Batchelor, President
P.O. Box 299
Roseville, CA 95678